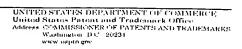


UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/134,014	08/14/1998	WILHELM GRUISSEM	018941-00020	. 7338		
20350	7590 04/08/2003		•			
	AND TOWNSEND	AND CREW, LLP	EXAMI	NER		
EIGHTH FLO	TWO EMBARCADERO CENTER EIGHTH FLOOR			FOX, DAVID T		
SAN FRANCI	SCO, CA 94111-3834		ART UNIT	PAPER NUMBER		
			1638			
			DATE MAILED: 04/08/2003	XB		

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES D. ARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

SERIAL NUMBER . FILING I	FILING DATE FIRST NAMED APPLICANT		A	TTORNEY DOCKET NO
			EX	AMINER
			EX	AMINER

DATE MAILED:

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

event however, will the statutory period for the response expire later than six months from the date of the final rejection. Any extension of time must be obtained by filing a petition under 37 CFR 1.135(a), the proposed response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above. PApplicant's Brief is due in accordance with 37 CFR 1.192(a). Applicant's response to the final rejection, filed 3/17/1/2 has been considered with the following effect, but it is not deemed to place the application in condition for allowance: They proposed amendments to the claim and for specification will not be entered and the final rejection stands because: There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented. They raise new issues that would require further consideration and/or search. (See Note). They raise the issue of new matter. (See Note). They raise the issue of new matter. (See Note). They raise the issue of new matter. (See Note). They raise the issue of new matter. (See Note). Why proposed or amended to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. Why proposed or amended claims without cancelling a corresponding number of finally rejected claims. NOTE:		RIOD FOR RESPONSE:		
event however, will the statutory period for the response expire later than six months from the date of the final rejection. Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and also the date for the purposes of determining the period of extension and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.179(a). Appellant's Brief is due in accordance with 37 CFR 1.192(a). Applicant's response to the final rejection, filed	i) 🔲 isex	ctended to run	or continues to run	from the date of the final rejection
The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above. Appellant's Brief is due in accordance with 37 CFR 1.192(a). Applicant's response to the final rejection, filed 3/2/1/1/2 has been considered with the following effect, but it is not deemed to place the application in condition for allowance: 1. Ther proposed amendments to the claim and /or specification will not be entered and the final rejection stands because: a. There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented. b. They raise new issues that would require further consideration and/or search. (See Note). c. They raise the issue of new matter. (See Note). d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. e. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. e. Note: They are not deemed dealims without cancelling a corresponding number of finally rejected claims. NOTE: The List I was a corresponding number of finally rejected claims. NOTE: The list I was a corresponded claims without cancelling the non-allowable claims. Claims objected to: Claims allowed: Claims objected to: Claims objected to: Q. Applicant's response has overcome the following rejection(s): The attidavit exhibitor request for reconsideration has been considered but does not overcome the rejection because any idea of the action of earlier of the considered because applicant has not shown good and sufficent reasons why it was not earlier	b) 🗌 expi	ires three months from the d nt however, will the statutory	ate of the final rejection or as of the ma period for the response expire later the	iling date of this Advisory Action, whichever is later. In no an six months from the date of the final rejection.
Applicant's response to the final rejection, filed 3/17 has been considered with the following effect, but it is not deemed to place the application in condition for allowance: Ther proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:	The	date on which the response	, the petition, and the fee have been fi	led is the date of the response and also the date for the amount of the fee. Any extension fee pursuant to 37 CFR
to place the application in continion for allowance. The proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:	Appellar	nt's Brief is due in accordance	e with 37 CFR 1.192(a).	·
a. There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented. b. They raise new issues that would require further consideration and/or search. (See Note). c. They raise the issue of new matter. (See Note). d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. e. They present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: The last. Line of claim subjected to subject the non-allowable claims. NOTE: The last would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims. 2. Newly proposed or amended claims would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims. 3. Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows: Claims allowed: Claims allowed: Claims rejected: Applicant's response has overcome the following rejection(s): 4. The alfidavit exhibitor request for reconsideration has been considered but does not overcome the rejection because argument and account of the claims will be an argument and account of the claims of the claims of the claims objected to the claims objecte	Applican to place	nt's response to the final reje the application in condition	ction, filed $\frac{3/\sqrt{1/\sqrt{3}}}{\sqrt{3}}$ has be for allowance:	en considered with the following effect, but it is not deemed
presented. b.	1. Ther	proposed amendments to the	e claim and /or specification will not be	entered and the final rejection stands because:
c. They raise the issue of new matter. (See Note). d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. e. They present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: The last line of claim / still rejected claims. NOTE: In a fill a still a still a separately filed amendment cancelling the non-allowable claims. Would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims. DAVID T. FOX PRIMARY EXAMINER Claims allowed: Claims rejected: Applicant's response has overcome the following rejection(s): The attidavit exhibit or request for reconsideration has been considered but does not overcome the rejection because Att and and the status of the claims The attidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	a. 🗀		wing under 37 CFR 1.116(b) why the p	proposed amendment is necessary and was not earlier
d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. e. They present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: The last line of claim / still contains. NOTE: The last line of claim / still contains. 2. Newly proposed or amended claims would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims. 3. Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows: Claims allowed: Claims allowed: Claims objected to: Claims rejected: 12 However; Applicant's response has overcome the following rejection(s): The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because argument? Are identical to tracke submitted in please. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	b. [They raise new issues that	would require further consideration an	d/or search. (See Note).
appeal. e. They present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: The last. Line of claim / shift conterns Line of claim / shift conterns	c. 🗀	They raise the issue of ne	w matter. (See Note).	
NOTE: The last, line of claim still conteins Newly proposed or amended claims	d. 🖪		place the application in better form for a	appeal by materially reducing or simplifying the issues for
NOTE: The last, line of claim / shift conterns Newly proposed or amended claims	e. 🗆	They present additional cl	aims without cancelling a corresponding	g number of finally rejected claims.
the non-allowable claims. 3. Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows: Claims allowed: Claims objected to: Claims rejected: However; Applicant's response has overcome the following rejection(s): The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because argument are identical to that a substitute of present a following follows: The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	NOT	TE: The last.	line of cla	in 1 stll contains
the non-allowable claims. 3. Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows: Claims allowed: Claims objected to: Claims rejected: However; Applicant's response has overcome the following rejection(s): The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because argument are identical to that a substitute of present a following follows: The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier		bruckett	rather than	3 Mike Though
the non-allowable claims. 3. Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows: Claims allowed: Claims objected to: Claims rejected: However; Applicant's response has overcome the following rejection(s): The attidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because argument are identical to those outstands in previous forms. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier				
be as follows: Claims allowed: Claims objected to: Claims rejected: However; Applicant's response has overcome the following rejection(s): The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because Argument are identical to these submitted in please. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	2. Neu		aims would be allo	wed it submitted in a separately filed amendment carlesining
Claims objected to: Claims rejected: 1-12 However; Applicant's response has overcome the following rejection(s): 4. The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because argument are identical to these submitted in please. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier		on the filing an appeal, the pr	oposed amendment will be entere	
However; Applicant's response has overcome the following rejection(s): 4. When attidavit, exhibitor request for reconsideration has been considered but does not overcome the rejection because argument are identical to trave submitted in please. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier.	3. 19 Upo	as follows:		Note to the contract of the co
However; Applicant's response has overcome the following rejection(s): 4. If The attidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because argument are identical to thate out with a period in please. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	the to Upo be a			
4. The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because Argument are identical to track outsuited in please. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	3. Upo be a	ims allowed:		
4. The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because argument are identical to thate submitted in plants. 5. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	3. Upo be a	ims allowed:ims objected to:ims rejected:		
The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	3. Upo be a	ims allowed:ims objected to:ims rejected:1 Zims rejected:1 Zimovever;	percome the following rejection(s):	
5. The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	3. Upo be a	ims allowed:ims objected to:ims rejected:1 Zims rejected:1 Zimovever;	vercome the following rejection(s):	
	3. Upo be a Clai	ims allowed: ims objected to: ims rejected: + 12 However; Applicant's response has o	for reconsideration has been considered	ed but does not overcome the rejection because
	3. Upo be a Clai Clai Clai	ims allowed: ims objected to: ims rejected: # 12 However; Applicant's response has of the second of	for reconsideration has been considered to the consideration to the	ed but does not overcome the rejection because There is us my Head in piles